UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/734,650	12/13/2000	Hanine Abdelkrim	Q61910	4807

23373 7590 07/28/2005	EXAMINER
SUGHRUE MION, PLLC	NALVEN, ANDREW L
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ART UNIT	PAPER NUMBER
2134	

SUITE 800
WASHINGTON, DC 20037

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/734,650	ABDELKRIM, HANINE
	Examiner	**Art Unit**	
	Andrew L. Nalven	2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 March 2005*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *13 December 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☒ All   b)☐ Some * c)☐ None of:

   1.☒ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)   4)☐ Interview Summary (PTO-413)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   Paper No(s)/Mail Date. _____ .
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)   5)☐ Notice of Informal Patent Application (PTO-152)
   Paper No(s)/Mail Date _____ .   6)☐ Other: _____ .

DETAILED ACTION

1.   Claims 1-4 are pending.

Response to Arguments

2.   Applicant's arguments filed 16 March 2005 have been fully considered but they

are moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
conditions and requirements of this title.

3.   Claims 1-4 are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter.   The cited claims fail to produce a useful,

concrete, and tangible result. Further, the provided claims are directed towards a

programming interface that is not embodied on a computer readable medium. Data

structures or computer programs that are not embodied on a computer readable

medium are nonstatutory under 35 USC 101.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Parodi et al "Integrating ObjectBroker and DCE Security" in view of Flanagan Java in a

Nutshell.

6.   With regards to claims 1 and 3, Parodi teaches a first class including methods of

initiating a secured call (Parodi, Page 46, Items 1,2,3 and Page 42 Paragraph 1), a

second class including methods of accepting a secure call (Parodi, Page 46, Items 9-10

and Page 42 Paragraph 1), and a third class including methods of bidirectional

exchange of messages via a secured call or the secured closure of the call (Parodi,

Page 46, column 1 Paragraph 2). Parodi fails to teach the three classes structured in a

hierarchy. Flanagan teaches a class with methods for initiating a call (Flanagan, page

147, socket class), a class with methods for accepting a call (Flanagan, page 145,

ServerSocket), and a third class with methods of bidirectional exchange where the first

and second classes inherit from the third class ((Flanagan, page 334,

Java.net.SocketImpl)). At the time the invention was made, it would have been obvious

to a person of ordinary skill in the art to utilize Flanagan's method of class hierarchy's

because it offers the advantage of allowing generic code to be used by child classes

thus removing the need to recode common functionality.

7.   With regards to claims 2 and 4, Parodi as modified teaches the methods

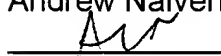conforming to GSS-API specifications (Parodi, Page 42, Column 2, Paragraph 3).

Conclusion

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Andrew L. Nalven whose telephone number is 571 272

3839. The examiner can normally be reached on Monday - Thursday 8-6, Alternate

Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Gregory Morse can be reached on 571 272 3838. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Andrew Nalven

David Y. Jung
Primary Examiner

7/21/05